

and the ranking member of the Veterans' Affairs Committee or their designees; that the only amendments in order be six first-degree germane amendments, three each for the majority manager or his designee, and Senator COBURN; that debate on each amendment be limited to 40 minutes, equally divided and controlled in the usual form; that upon disposition of all amendments and the use or yielding back of all time, the bill as amended, if amended, be read a third time and the Senate then proceed to vote on passage of the bill with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object, first of all, let me tell my good friend from Hawaii that I personally have no objection to the bill; however, I have been informed there are Members on our side who want to work out something. They feel very confident they will be able to work it out with the Senator, but for the purpose of today, to this unanimous-consent request, I have to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Rhode Island is recognized.

MORNING BUSINESS

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that we go into a period of morning business, with Senators permitted to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO CLAIR EARL

Mr. REID. Madam President, I wish today to honor Clair Earl for his service to the people of Nevada. Very few people enjoy the privilege of servicing their community in both their professional and personal pursuits. Yet Mr. Earl has labored diligently for over 40 years as a dentist and as an ecclesiastical leader in Reno.

Clair was born in Overton, NV, and raised on a farm in Moapa Valley. Clair graduated from the University of Nevada—Reno, where he was the student body president his senior year, and did graduate studies at Brigham Young University. Mr. Earl also has degrees from Portland State University and the University of Oregon Dental School.

Professionally Clair Earl has practiced as a dentist in Reno since 1964. Over his 45 years of work he has gained a reputation as not only an excellent businessman, but also as a caring health professional to his community. He has spent these many years providing his patients with a high degree of service which has not gone unnoticed.

Clair Earl has a strong love for his family. His wife is the former Mildred Meyer, and they were married in

Logan, UT. They have 11 children and 50 grandchildren. All seven sons are Eagle Scouts. Eight of the children and seven of the spouses have served missions for the Church of Jesus Christ of Latter-day Saints. Earl should be proud of the job that he did as a parent raising these future leaders of the country.

Earl's values as a member of the Church of Jesus Christ of Latter-day Saints are the solid foundation for his life and family. Clair has been a force for much good among the LDS community in northern Nevada. He has served as a bishop, a counselor in the Reno Nevada Stake, and also as the church director of public affairs for northern Nevada. Currently, Clair Earl is serving as the president of the Reno Nevada Stake. This is a calling of great magnitude, considering that President Earl leads over 4,000 members of the church and does so without any pay or reimbursement for time. This great act of service is a tribute to the man that President Earl is and the strength of his convictions to bless the lives of others. Clair Earl is to be released from this calling on November 15, 2009, after serving 9 years in this capacity.

Brigham Young, prophet of the Church of Jesus Christ of Latter-day Saints and former Governor of Utah, once said, "We want men to rule the nation who care more for and love better the nation's welfare than gold and silver, fame or popularity." I feel confident that Clair Earl fits Young's definition of men who truly service this great Nation. I wish him all the best as he continues his service to the people of northern Nevada.

TRIBUTE TO ROBERT LARSEN BRAY

Mr. REID. Madam President, today I wish before the Senate to honor Robert Larsen Bray. Although he is not a resident of my home State of Nevada, his lifetime of service has been exemplary and is worthy of our attention. On October 30, 2009, Bob officially retired from his position as chief information officer for the Texas Department of Criminal Justice. This retirement marks the end of a career in public service that has been nothing short of monumental.

Bob was blessed to come from a wonderful family. Like me, Bob was born the son of a hard-working man who went to great lengths to provide for his family. Vern Bray, Bob's father, worked as a blast furnace operator, a gold miner, and also as a builder on the Hoover Dam, which is one of Nevada's prized possessions. Bob's mother, Myrl, instilled in her children a desire to learn and gain education. Three of her children went on to become outstanding educators, two of which did so in Nevada. My friend and Bob's oldest brother, Lawrence, was a longtime teacher in Las Vegas.

Together with his wife and best friend, Maryann, Bob has raised a great

family of his own. Over their 43 years of marriage they have raised nine children five girls and four boys. Their seven married children have provided the Brays with 20 grandchildren. Although it was difficult at times to provide and care for such a large family, the Brays fostered in their children an ardent work ethic and firm resolve to help their fellow man. I have witnessed firsthand the good they have bestowed upon their children, as my legislative correspondence manager, Vaughn Bray, is their eighth child.

Much like his father, Bob has worked hard his whole life. At a young age he learned to keep working until the job was finished, an unpleasant notion when faced with the task of picking beets or cleaning irrigation ditches. As a man, Bob worked full-time at night for the defense contractor Hercules in order to pay for his education at the University of Utah. Later, Bob would attain a master's in public administration at Texas Tech University in much the same way.

In order to provide for his family, Bob's work took him from Utah to Texas to New York to New Mexico and, finally, back to Texas. He has worked in some form of government for over 25 years. Most notably, he served as the director of planning at Texas Tech University in Lubbock, TX, and more recently as chief information officer for the Texas Department of Criminal Justice in Huntsville, TX.

Throughout his life Bob has been a dedicated member of the Church of Jesus Christ of Latter-day Saints. As a 19-year-old, he served as a missionary in Canada under the direction of the current president of the LDS Church, Thomas S. Monson. He has gone on to serve in the church as a branch president, bishop, Stake president, and mission president in Nashville, TN. In these years of retirement that are soon to follow, Bob and Maryann are eager to continue to serve in any capacity possible. Bob has stated that if he has his way, the Brays will serve 10 more missions.

Although Bob had many duties at the home, office, and church, he still found time to serve his community. He and his wife labored as PTA presidents while their children were in elementary school. Bob has worked as a leader in the Boy Scouts, as a board member of the Lubbock, TX, Civic Center, and as a volunteer during Hurricane Rita. Politically, he has been involved on the local level of the Democratic Party, and even worked on the campaign of former Texas Congressman Kent Hance, the only politician ever to defeat former President George W. Bush in an election.

As his career comes to an end, it is safe to say that Robert Bray will not resign himself to a life of golf and afternoon naps. Old habits cannot be broken, and Bob Bray is a worker. I have no doubt that he will continue to labor diligently to improve his community and to make life a little better for

those around him. I wish him all the best in his retirement, and sincerely hope that the next generation of Americans contains a few Bob Brays.

BICENTENNIAL OF DR. EPHRAIM McDOWELL'S HISTORIC SURGERY

Mr. McCONNELL. Madam President, the Commonwealth of Kentucky has many heroes. Yet only two have been granted significant prominence to have their likeness stand on permanent display within the halls of the U.S. Capitol building.

The Great Compromiser, Henry Clay, is one of those who have earned such distinction. And the second statue recognizes the contributions of Dr. Ephraim McDowell to modern medicine. While his might not be a household name, Dr. McDowell's contribution to surgical procedure is nonetheless momentous, making him one of only two Kentuckians in history to be recognized in the Capitol.

It was 200 years ago that Dr. McDowell performed the world's first successful ovariectomy. What Mrs. Jane Todd Crawford of Green County, KY, mistook for twins, Dr. McDowell correctly diagnosed as a 22-pound ovarian tumor.

Mrs. Crawford begged Dr. McDowell to prevent her from dying a slow and painful death. The young doctor explained that her only option was to have experimental surgery, and he went further in explaining that none who had previously undergone such surgery had survived. Undeterred, Mrs. Crawford pressed Dr. McDowell to perform the surgery and made the 60-mile horseback ride to Danville, KY, on December 13, 1809.

By the end of the 25-minute procedure, which was performed without anesthetic, Mrs. Crawford's tumor had been removed and she was able to make an uncomplicated recovery. She would go on to live another 32 years. In time, Dr. McDowell would go on to perform nearly a dozen more such procedures, and his meticulous notes of performing a successful abdominal surgery would be reviewed and taught on two continents.

In those notes, he wrote about his first success:

Having never seen so large a substance extracted, nor heard of an attempt, or success attending any operation such as this required, I gave to the unhappy woman information of her dangerous situation. The tumor appeared full in view, but was so large we could not take it away entire. We took out fifteen pounds of a dirty, gelatinous-looking substance. After which we cut through the fallopian tube, and extracted the sac, which weighed seven pounds and one-half. In five days I visited her, and much to my astonishment found her making up her bed.

Madam President, it is not just Mrs. Crawford who owes a debt of gratitude to Dr. Ephraim McDowell. Indeed, because of his efforts and courage, the entire field of medicine made great advancements and society as a whole is

the better. With the bicentennial of this remarkable accomplishment soon approaching, I thought it fitting for us to take a moment and remember this man who Kentucky rightfully honors with a place in the U.S. Capitol.

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

ECONOMIC DEVELOPMENT ADMINISTRATION

Mr. BROWN. Madam President, I would like to engage my colleague, the Senator from New York, in a colloquy.

I would first like to take this opportunity to commend Senator MIKULSKI and Senator SHELBY and their hard working staff for crafting a responsible, commonsense funding measure, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

I would like to highlight one piece of this bill, and that is the funding allocation for the Economic Development Administration. Madam President, the country is facing the highest unemployment rate we have seen in more than 20 years. There are too many hard-working Americans without a paycheck.

Mrs. GILLIBRAND. That is true in my State, as I know it is in the Senator's. Last week, the Labor Department reported 263,000 more jobs lost in September, leaving 15.1 million workers unemployed. The number of underemployed is even greater.

Funds for EDA are critical to our economic recovery, especially funds for Economic Adjustment Assistance, which is more flexible spending that enables EDA to respond quickly and forcefully to regions hit with an economic catastrophe.

Mr. BROWN. I agree with Senator GILLIBRAND that the Economic Adjustment Assistance account is critical for responding to sudden and severe economic hardship in a region. One proven strategy for economic development in these regions is business incubators.

In Ohio, there are more than 30 business incubators that help foster regional economic development and spur small business expansion. Recent studies show that business incubators are an effective public-private approach that produces new jobs at a low cost to the government.

Mrs. GILLIBRAND. Yes, I thank the Senator. In fact, a 2008 study conducted for the Economic Development Administration found that for every \$10,000 in EDA funds invested in business incubators, an estimated 47–69 local jobs are generated. In rural areas, business incubator projects are the most effective type of EDA project.

The National Business Incubation Association, NBIA, estimates that in 2005 business incubators supported more than 27,000 start-up companies providing full-time employment to more than 100,000 workers—generating more than \$17 billion in annual revenue.

NBIA also points to research showing that every dollar of Federal funds de-

voted to a business incubator generates approximately \$30 in local tax revenue.

Mr. BROWN. I was proud to introduce with the Senator the Business Incubator Promotion Act last month, which defines the types of incubator services proven to be most effective, and targets Federal funds to the most economically distressed regions.

It is my understanding that the CJS appropriations legislation provides \$200 million to EDA, with \$90 million of that to Economic Adjustment Assistance. I would like to see an additional \$20 million in this account to promote the revitalization of economically distressed communities and encourage the development of business incubators. This increase would mean jobs—for Ohio, New York, and for other States with high unemployment.

Mrs. GILLIBRAND. I understand the administration would also like to see these funds increased. In fact, in the Statement of Administration Policy issued for the CJS Appropriations measure, the administration urges Congress to provide increased funding to fully implement the administration's proposals to promote regional innovation clusters and create a business incubator network.

Mr. BROWN. I would like to join Senator GILLIBRAND in working with Senator MIKULSKI and Senator SHELBY in boosting these funds. Now more than ever, Congress must give EDA the tools to help entrepreneurs drive the economic revitalization of towns, cities, and regions all across Ohio, New York, and the country. The CJS Appropriations is an important step, one upon which to build.

Again, I commend the work of Senator MIKULSKI and Senator SHELBY and look forward to working with them to increase funding for EDA in conference.

AMENDMENT NO. 2669

Mr. GRAHAM. Madam President, I am disappointed that on November 5, 2009, the Senate voted to table my amendment to prohibit the use of funds to prosecute individuals involved in the September 11, 2001, attacks in article III courts. As I stated at the time of the vote, it would be a grave mistake to prosecute these detainees in civilian court instead of the newly revamped military commissions.

Two hundred forty-nine family members of the victims of the September 11 attacks wrote a letter in support of my amendment. They know better than anyone that the attacks that took their loved ones were war crimes and that criminalizing this war would be dangerous and unwise.

I would like to submit their letter in support of my amendment for the record, and I would like to give a special thanks to Debra Burlingame for her leadership on this issue. While I am disappointed in the vote on this amendment, I hope that in the future we will heed the counsel of those who lost the most in the terrible attacks on our country—the family members of 9/11 victims.